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Security Council

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Resolution 1640 (2005)

Adopted by the Security Council at its 5308th meeting, on 23 November 2005

The Security Council,

Reaffirming all its previous resolutions and statements pertaining to the situation between Eritrea and Ethiopia, and the requirements contained therein, including in particular resolution 1622 (2005) of 13 September 2005 and the statement of its President of 4 October 2005,

Expressing once again its grave concern at the decision of the Government of Eritrea of 4 October 2005 to restrict all types of United Nations Mission in Ethiopia and Eritrea helicopter flights within Eritrean airspace or coming to Eritrea, effective as of 5 October 2005, and the additional restrictions on UNMEE's freedom of movement imposed since then, which have serious implications for UNMEE's ability to carry out its mandate and for the safety of its staff, and the forces of the troop contributors,

Alarmed by the implications and potential impact of the aforementioned decision made and restrictions imposed by the Government of Eritrea with regard to the maintenance of peace and security between Eritrea and Ethiopia, and the principles governing United Nations Peacekeeping Operations,

Reaffirming the integrity of the Temporary Security Zone (TSZ) as provided in the Agreement on Cessation of Hostilities of 18 June 2000 (S/2000/601) and recalling the objectives behind its establishment,

Stressing that lasting peace between Ethiopia and Eritrea as well as in the region cannot be achieved without the full demarcation of the border between the parties,

Expressing its grave concern at the Ethiopian Government's failure, to date, to accept without preconditions the implementation of the final and binding decision of the Eritrea-Ethiopia Boundary Commission (S/2002/423),

Expressing its appreciation to Ambassador Kenzo Oshima for his visit to Ethiopia and Eritrea from 6 to 9 November 2005, in his capacity as Chairman of the Working Group on Peacekeeping Operations, *taking note* of his report (S/2005/723) and *welcoming* the observations made therein,

Noting with deep concern the high concentration of troops on both sides of the TSZ and *stressing* that the continuation of the situation would constitute a threat to international peace and security,

1. *Deeply deplores* Eritrea's continued imposition of restrictions on the freedom of movement of UNMEE and *demands* that the Government of Eritrea reverse, without further delay or preconditions, its decision to ban UNMEE helicopter flights, as well as additional restrictions imposed on the operations of UNMEE, and provide UNMEE with the access, assistance, support and protection required for the performance of its duties;

2. *Calls* on both parties to show maximum restraint and to refrain from any threat or use of force against each other and *demands* that both parties return to the 16 December 2004 levels of deployment, beginning with immediate effect and completing this redeployment within 30 days, in order to prevent aggravation of the situation;

3. *Requests* the Secretary-General to monitor the parties' compliance with the demands in paragraphs 1 and 2 above and to report to the Council 40 days after the adoption of this resolution;

4. *Expresses its determination* to consider further appropriate measures, including under Article 41 of the Charter of the United Nations, if one or both of the parties fail to comply with the demands in paragraphs 1 and 2 above;

5. *Demands* that Ethiopia accept fully and without further delay the final and binding decision of the Eritrea-Ethiopia Boundary Commission and take immediately concrete steps to enable, without preconditions, the Commission to demarcate the border completely and promptly and *expresses its determination* to monitor closely the actions of both parties in relation to the demarcation of the border and to keep this matter under consideration;

6. *Expresses* its deep appreciation for the contribution and dedication of the troop-contributing countries to the work of UNMEE and, in light of the risk of further deterioration of the situation, *appeals* to them to persevere in maintaining their presence and contribution to the activities of UNMEE, despite the immense difficulties which they are facing;

7. *Calls upon* both parties to work, without preconditions, to break the current stalemate through diplomatic efforts;

8. *Decides* to remain actively seized of the matter.